

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>MARLA R. McGOWEN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:09-0226</b>
	)	<b>JUDGE ECHOLS</b>
<b>COUNTRYWIDE HOME LOANS, INC.,</b>	)	
<b>MICHAEL B. ECKHART, PETER D.</b>	)	
<b>ZAFT, AND DALE McKENZIE,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Plaintiff Marla R. McGowen brought this lawsuit against her former employer, Defendant Countrywide Home Loans, Inc. (“Countrywide”), and current or former Countrywide employees Michael B. Eckhart (“Eckhart”), Peter D. Zaft (“Zaft”) and Dale McKenzie (“McKenzie”) alleging various claims under federal and state law for sexual harassment and retaliation in employment. When Plaintiff initially accepted employment with Countrywide, she signed an agreement entitled “Mutual Agreement to Arbitrate Claims,” in which she consented to arbitration of “all claims or controversies” arising out of, relating to or associated with her employment. The agreement broadly defined “Company” as “Countrywide Credit Industries, Inc. and all of its subsidiary and affiliated entities, including all former, current and future officers, directors and employees of all such entities, in their capacity as such or otherwise[.]” (Docket Entry No. 14-1, Tab A.)

Countrywide filed a Motion To Stay and Compel Arbitration (Docket Entry No. 13), which Defendants Eckhart, Zaft and McKenzie joined. (Docket Entry Nos. 17 & 18.) Plaintiff did not file any responses to these motions. Countrywide represents that Plaintiff indicated to Countrywide that

she does not object to a stay pending arbitration and that she will initiate the arbitration process as outlined in the agreement she signed. Accordingly, the Court rules as follows:

(1) Defendant Countrywide Home Loans, Inc.'s Motion To Stay And Compel Arbitration (Docket Entry No. 13) is hereby GRANTED;

(2) Defendant Michael Eckhart's Motion to Stay and Compel Arbitration (Docket Entry No. 17) is hereby GRANTED;

(3) the Motion to Stay and Compel Arbitration [On] Behalf Of Defendants Peter Zaft and Dale McKenzie (Docket Entry No. 18) is hereby GRANTED;

(4) pursuant to 9 U.S.C. § 4, Plaintiff Marla R. McGowen is hereby compelled to submit all of her claims to arbitration in accordance with the "Mutual Agreement to Arbitrate Claims" which she signed;

(5) pursuant to 9 U.S.C. § 3, all further proceedings in this action are hereby STAYED pending the completion of arbitration; and

(6) the Clerk is hereby directed to administratively close the case pending completion of the arbitration proceeding.

It is so ORDERED.



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ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE